

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PERSONALIZED USER MODEL, L.L.P.,)	
)	
Plaintiff,)	
)	
v.)	
)	
GOOGLE, INC.,)	
)	
Defendant.)	
_____)	C.A. No. 09-525 (LPS)
GOOGLE, INC.,)	
)	
Counterclaimant,)	
)	
v.)	
)	
PERSONALIZED USER MODEL, L.L.P.)	
and YOCHAI KONIG,)	
)	
Counterclaim-Defendants.)	

**PERSONALIZED USER MODEL, L.L.P. AND DR. YOCHAI KONIG’S
RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW
ON GOOGLE’S BREACH OF CONTRACT COUNTERCLAIM**

Pursuant to Federal Rule of Civil Procedure 50(b), Personalized User Model, L.L.P. (“PUM”) and Dr. Yochai Konig hereby move the Court to enter judgment as a matter of law in their favor on Google’s breach of contract counterclaim because: (1) no reasonable jury could find that SRI’s alleged harm was inherently unknowable so as to toll the statute of limitations; (2) Google failed to prove it acquired the right to bring SRI’s purported breach of contract claim; and (3) Google failed to prove that Dr. Konig conceived of the invention in the patent law sense while he was employed at SRI. The grounds for this motion are set forth in PUM and Dr. Konig’s Opening Brief, filed herewith.

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[PROPOSED] ORDER GRANTING JUDGMENT AS A MATTER OF LAW

The Court having considered Personalized User Model, L.L.P. and Dr. Yochai Konig's Renewed Motion for Judgment as a Matter of Law on Google's Breach of Contract Counterclaim,

IT IS HEREBY ORDERED this ____ day of _____, 2014, that the Motion is GRANTED.

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2014, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered participants.

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on May 14, 2014 upon the following individuals in the manner indicated:

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